Negotiation with North Eastern Ultras

2394. SHRI PARAG CHALIHA:
SHRI SHIV CHARAN SINGH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any other groups besides those of Nagaland ultras, belonging to the North Eastern Region in general and Assam in particular, have volunteered or have been persuaded to negotiate their demands etc. across the table;

(b) if so, the details thereof; and

(c) what have been the results of bilateral negotiations with the Naga ultras after cease-fire?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) No, Sir.

(b) Does not arise.

(c) The Prime Minister in a statement in both the Houses of Parliament on 25 July, 1997 has informed, interalia, that after his visit to Nagaland and other North Eastern States, Government's willingness to hold unconditional talks with the underground elements had been reiterated and that after talks with the Issac-Muivah group of the National Socialist Council of Nagaland, it has now been agreed to cease fire for 3 months with effect from 1st August, 1997 and embark upon political level discussions.

Committee to Reconsider TADA

2395. SHRI SANJAY DALMIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have examined the recommendations of Committee Experts and the judgement given in the courts for reconsideration to replace TADA;

(b) if so, Government's reaction thereto;

(c) by when a legislation in this regard is likely to be introduced;

(d) whether courts have been finding it difficult to dispose of the cases due to lapses in TADA; and

(e) if so, the steps taken to dispose of the said cases?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) to (c) In erstwhile Terrorist & Disruptive Activities Act, 1987 whose constitutionality was upheld by the Hon'ble Supreme Court was allowed to lapse in May, 1995 because of the criticism that some of its provisions were allegedly misused. After detailed discussions with various State Governments and Leaders of Political Parties, Criminal Law Amendment Bill which sought to fill in the vaccum created by TADA was introduced in Rajya Sabha in May, 1995 and the same is pending in the House. The Bill broadly seeks to strike a balance between Human Rights concerns and the requirement to combat terrorism. Government would like to hold wider consultations on the various provisions of the above Bill before moving for its consideration by the Parliament.

(d) and (e) The Supreme Court in its judgement of February, 1996, categorised TADA detenus for grant of bail which had to be followed by Designated TADA courts. Lapse of erstwhile TADA does not create any difficulty in disposal of pending proceedings because of Saving Clause, Section 1(4) of the erstwhile TADA. Pending proceeding can be disposed off as if the Act had not Lapsed. However, no new case or proceeding can be instituted. Prosecution branches of all States/UTs have been instructed